

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket: 12292.6
Applicant: Cote, Jean-Charles
Serial No.: 10/756,778
Filed: 14 January 2004
Group Art Unit 1653
Examiner: Rooke, Agnes Beata
Title: A NOVEL BACILLUS THURINGIENSIS
STRAIN, CRYSTAL, GENE AND CRYSTAL
PROTEIN AND USES THEREOF
Confirmation number: 3697
Customer number: 25545

DECLARATION UNDER 37 CFR 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Dear Sir:

1. I, Jean-Charles Côté, am one of the named inventors in the above-identified patent application. Yong-Chul Jung is also one of the named inventors in the above-identified patent application. We are also the submitters/authors of the sequence in Jung *et al.*, "83-kDa crystal protein gene from a novel autoagglutinable, nonserotypeable strain of *Bacillus thuringiensis*," Submitted February 2002 to the EMBL/GenBank/DBJ databases ("Jung *et al.*").

2. The remaining inventors to the above-identified patent application, namely Eiichi Mizuki and Tetsuyuki Akao were not authors on the

Jung *et al.* submission because they did not contribute to the identification of the sequence submitted to the EMBL/GenBank/DDBJ databases *per se*. However, inventors Eiichi Mizuki and Tetsuyuki Akao's work contributed to the invention as claimed in the above-identified patent application.

3. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Respectfully submitted,

20th July 2007

Date


Jean-Charles Côté